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113TH CONGRESS
2D SESSION

H. R. 5211

To amend section 811 of Public Law 111–84 to apply that section to all contractors for all sole-source contracts exceeding $20,000,000.

IN THE HOUSE OF REPRESENTATIVES

JULY 25, 2014

Mr. YOUNG of Alaska (for himself and Ms. HANABUSA) introduced the following bill; which was referred to the Committee on Oversight and Government Reform, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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A BILL

To amend section 811 of Public Law 111–84 to apply that section to all contractors for all sole-source contracts exceeding $20,000,000.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AMENDMENTS TO JUSTIFICATION AND APPROVAL REQUIREMENTS RELATED TO CERTAIN SOLE-SOURCE CONTRACTS.

(a) EXPANSION OF SOLE-SOURCE CONTRACTS COVERED.—Paragraph (1) of section 811(c) of the National Defense Authorization Act for Fiscal Year 2010 (Public

Law 111–84; 123 Stat. 2405; 41 U.S.C. 3304 note) is amended to read as follows:

"(1) COVERED PROCUREMENT.—The term 'covered procurement' means either of the following:

"(A) A procurement covered by chapter 137 of title 10, United States Code.

"(B) A procurement covered by division C of subtitle I of title 41, United States Code.".

(b) TREATMENT OF OTHER JUSTIFICATION AND APPROVAL ACTIONS.—Section 811 of such Act is further amended by adding at the end the following new subsection:

"(d) TREATMENT OF OTHER JUSTIFICATION AND APPROVAL ACTIONS.—In the case of any contract for which a justification and approval is required under section 2304(f) of title 10, United States Code, or section 3304(e) of title 41, United States Code, a justification and approval meeting the requirements of such section shall be treated as meeting the requirements of this section for purposes of the award of a sole-source contract.".

(c) TECHNICAL AND CONFORMING AMENDMENTS.—Section 811 of such Act is further amended—

(1) in subsection (a), by striking "Not later than 180 days after the date of the enactment of

this Act, the Federal Acquisition Regulation shall be revised to provide that the'' and inserting ''The'';

(2) in subsection (a)(3), by striking ''sections 303(f)(1)(C) and 303(j) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(f)(1)(C) and 253(j))'' and inserting ''sections 3304(e)(1)(C) and 3304(f) of title 41, United States Code'';

(3) in subsection (c)—

(A) in paragraph (2)(B), by striking ''section 309(a)'' and all that follows through the period at the end and inserting ''section 151 of title 41, United States Code.''; and

(B) in paragraph (3)(B), by striking ''section 303(f)(1)(B)'' and all that follows through the period at the end and inserting ''section 3304(e)(1)(B) of title 41, United States Code.''; and

(4) by adding at the end the following new subsection:

''(e) REGULATIONS.—The Federal Acquisition Regulation shall be revised to implement this section.''.

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